

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05 10596 NMG

THOMAS KELLEY, )  
Plaintiff, )  
 )  
V. )  
 )  
TOWN OF PLYMOUTH and )  
ROBERT J. POMEROY, as Chief of the )  
Plymouth Police Department and )  
Individually )  
Defendants. )  
 )

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)**

NOW COMES counsel for the defendants in the above-captioned matter and certifies that they have conferred with Joseph R. Gallitano, counsel for the plaintiff, by telephone on October 10, 2007, regarding *Defendants' Motion For Leave To File Reply Memorandum in Support Of Their Motion For Summary Judgment* in a good faith attempt to resolve or narrow the issues raised in said Motion To Strike. The parties have so conferred and they have agreed to continue to so confer regarding the issues in this case.

Respectfully submitted,

/s/ Jeremy I. Silverfine  
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Date: October 11, 2007